

Race, Memory, and the Death of Robert Berkeley: "A murder . . . of . . . horrible and savage barbarity"

By DEBORAH A. LEE and WARREN R. HOFSTRA

ONE SPRING EVENING IN MAY 1818 DR. ROBERT BERKELEY OF FREDERICK County, Virginia, was bludgeoned to death by the people he held as slaves. These men and women then stuffed his body into a fireplace, kindled a fire, and reduced him to ashes and a small pile of bones. This violent act sent shock waves across the land, but in subsequent investigations, manhunts, trials, and executions no motives ever made public explained the actions of the accused. So deeply, however, did these actions penetrate into the conscience of the whole community that people in Frederick and surrounding counties today still recall stories about the Berkeley murder.

The murder itself exposed the two interdependent worlds of Berkeley's community—one white and one black—and the tensions between them. The nature of those tensions changed during the course of the nineteenth century. And so did collective memories of what happened to Robert Berkeley as whites struggled to regain hegemony over blacks after emancipation through new and virulent forms of racism; through violence, intimidation, and Jim Crow segregation in the law; and through the ideology of the Lost Cause, which like slavery had the effect of stripping blacks of personality, history, and legitimate motives for their actions. In the twentieth century other accounts of Berkeley's murder surfaced. Just as blacks struggled to reclaim dominion over their own lives in the course of the civil rights movement, so a motive for the murder emerged in the regional folklore for the first time, giving authenticity, if not legitimacy, to what enslaved men and women did to Robert Berkeley.

Until his death, Robert Berkeley did little to attract any particular attention or historical notice and lived a life exemplifying the

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expectations of his class. He was born in 1776 at Airwell in Hanover County to a prominent Virginia family. His parents were Nelson Berkeley and Elizabeth Wormeley Carter. A family historian described him as "a gentle, rather ineffectual personality." Following in an older brother's footsteps, he attended the University of Edinburgh but dropped out for lack of funds before he could earn a degree. He returned to the United States and completed medical studies at the University of Pennsylvania. In 1804 he wrote to Robert Carter of his intention to marry Carter's youngest daughter, Julia. Robert Carter replied coolly, "As a Father of a Family I never recommend either Male or Female in the line of marriage, and my married Issue chose for themselves." Although wellborn, Berkeley possessed little personal wealth at the time of his marriage. Julia, on the other hand, owned more than seventeen hundred acres on the Shenandoah River in Frederick County that had been given to her by her father. Like her older sisters, she also received a dowry of five hundred acres of land, ten slaves, and livestock.¹

Robert Berkeley moved quickly after his marriage to maximize personal control over his wife's property. First he persuaded Julia to assign him her father's land. Skirting legal protections for women's property in marriage, Berkeley had his wife convey her assets initially to a third party and only subsequently to him. When Julia inherited more land upon the death of her grandparents, the wealthy Benjamin and Ann Tasker of Baltimore, Robert earned the enmity of Julia's brother and advisor, George Carter of Oatlands, by suing him in federal court for interest on the land. Berkeley's neighbors resented his self-interestedness as well and objected to his 1807 petition to redirect a public road through his property. As tithables required to maintain the

¹ Frances Berkeley Young, *The Berkeleys of Barn Elms* (1954; rptd., Hamden, Conn., 1964), 84-87 (first quotation on p. 85); and Robert Carter to Robert Berkeley, February 10, 1804, Letterbook, 1800-1805, Carter Manuscripts (Manuscript Division, Library of Congress, Washington, D.C.), quoted in Louis Morton, *Robert Carter of Nomini Hall: A Virginia Tobacco Planter of the Eighteenth Century* (Williamsburg, Va., 1941), 229 (second quotation); and Frederick County Deed Book, XXIX, 130-33 (Frederick County Courthouse, Winchester, Va.). Berkeley completed his dissertation at the University of Pennsylvania in 1800 and published it that same year. See Robert Berkeley, *An Inquiry into the Modus Operandi of That Class of Medicines Called Sedatives* (Philadelphia, Pa., 1800).

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road, they insisted that it was in "no way calculated for public utility" and that Berkeley, acting "with a view wholly for . . . [his] private advantage," was imposing "an unecessary [*sic*] burden upon the neighbourhood."²

Between 1809 and 1813 Robert Berkeley built a brick house, Rock Hill, on a high bluff overlooking a bend in the Shenandoah River. Its four bays enclosed an unusual central octagonal hall surrounded by four rooms on each of three floors including the basement. Every room had a fireplace and a door to the central hall. An addition to the dwelling included a second staircase. But the house was not sound, according to George Carter, because the addition was "put up in the slightest manner and . . . must fall down shortly." Two detached offices were also in sorry condition. An 1818 inspection revealed that, due to inferior mortaring, addition and offices were "in a rapid state of decay" and could not "stand more than a year or two." Carter observed that "the bricks look well to a superficial observer, but the Bricklayers work is generally very badly executed."³

In 1818 Robert and Julia Berkeley appeared contented and prosperous. Robert was forty-two years old, Julia thirty-five, and they were raising nine children after fourteen years of marriage. Robert served as a justice of the peace in Frederick County. The couple held thirty-seven slaves: some that Julia's father gave her, others that Robert purchased, and several more that Robert inherited from his father after the death of his mother in 1813. The Berkeleys employed an Irish overseer, John Robinson, and farmed mostly small grains such as wheat, corn, rye, and oats at Rock Hill.⁴

² George Carter to John Wickham, July 1, November 14, 1808, May 17, 1810, July 22, 1813, May 14, 1814, George Carter Letterbook, 1807-1819, pp. 1, 9, 24, 73, 117 (Virginia Historical Society, Richmond); and petition by Robert Berkeley and counter-petition against Berkeley, 1807, Petitions, 1749-1924, Roads, Mills, Dams, and Bridges, Frederick County Court Papers (Library of Virginia, Richmond).

³ George Carter to Julia Carter Berkeley, June 26, 1818, George Carter Letterbook, 217-21 (quotations on p. 220). William Taylor, a bricklayer who lived at Oatlands for many years, inspected the buildings at Rock Hill at George Carter's request. The house was demolished about 1940. For a sketch plan probably drafted at the time of demolition see Frances Blackwell Trenary, Floor Plan of Rock Hill, Laura Virginia Hale Collection (Laura Virginia Hale Archives, Warren Heritage Society, Front Royal, Va.).

⁴ Frederick County Minute Book, 1809-1813, p. 289 (Frederick County Courthouse) (hereinafter cited as FMB), also cited in R. E. Griffith Sr., "Notes on Rock Hill," *Proceedings of the Clarke County Historical Association*, III (1943), 45. The inventory taken shortly after Robert Berkeley's death lists thirty-two slaves and does not include five slaves held for trial in Berkeley's murder. See Inventory and Appraisement of the Slaves and Personal Estate of the late Doctr. Robert Berkeley, June 4 and 5, 1818, Frederick County Will Book, X, 594-98 (Frederick County Courthouse); and Leesburg (Va.) *Genius of Liberty*, August 4, 1818.

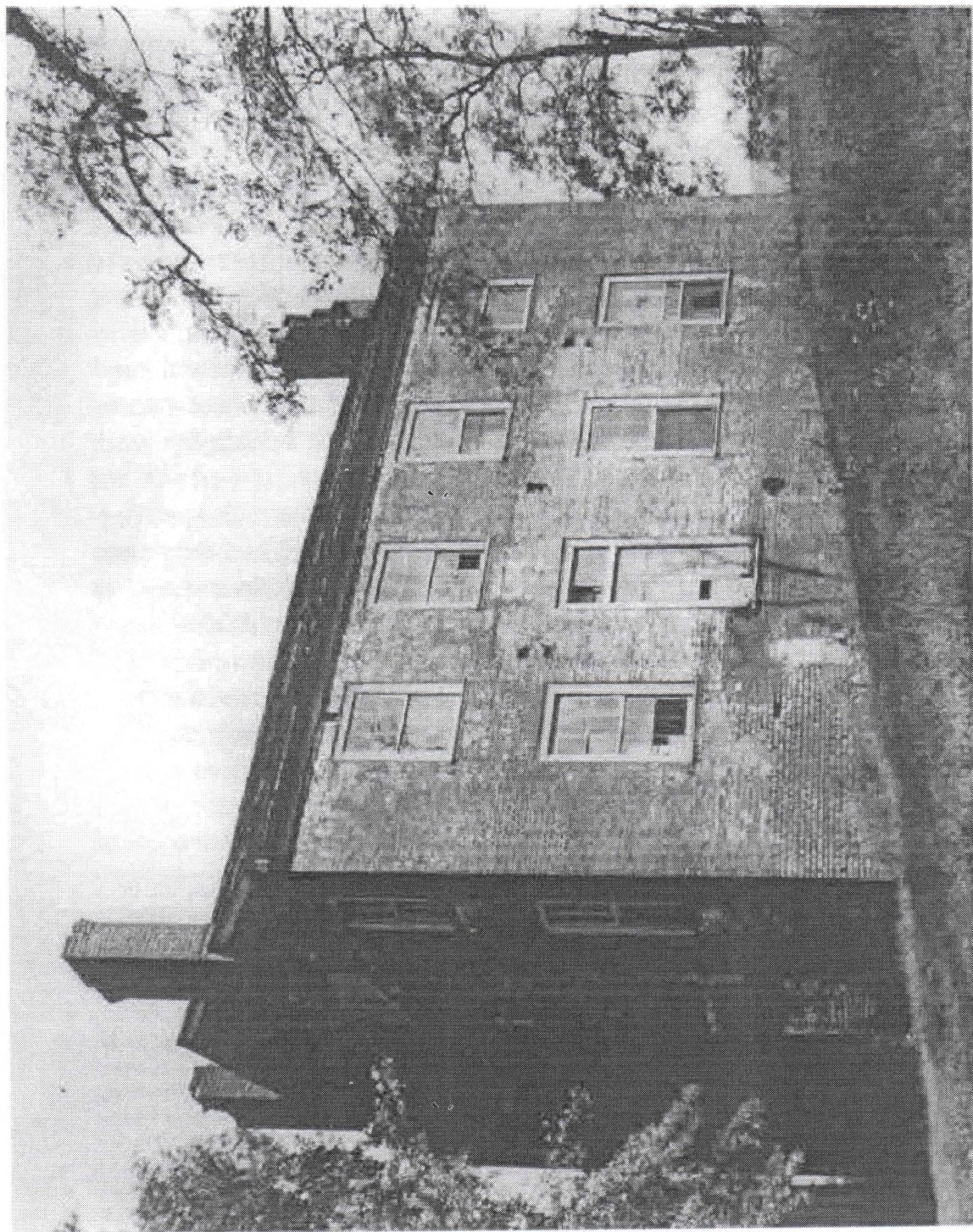


Illustration 1. Rock Hill before 1936. The house was demolished around 1940.

Reproduced courtesy of the Laura Virginia Hale Archives, Warren Heritage Society, Front Royal, Virginia.

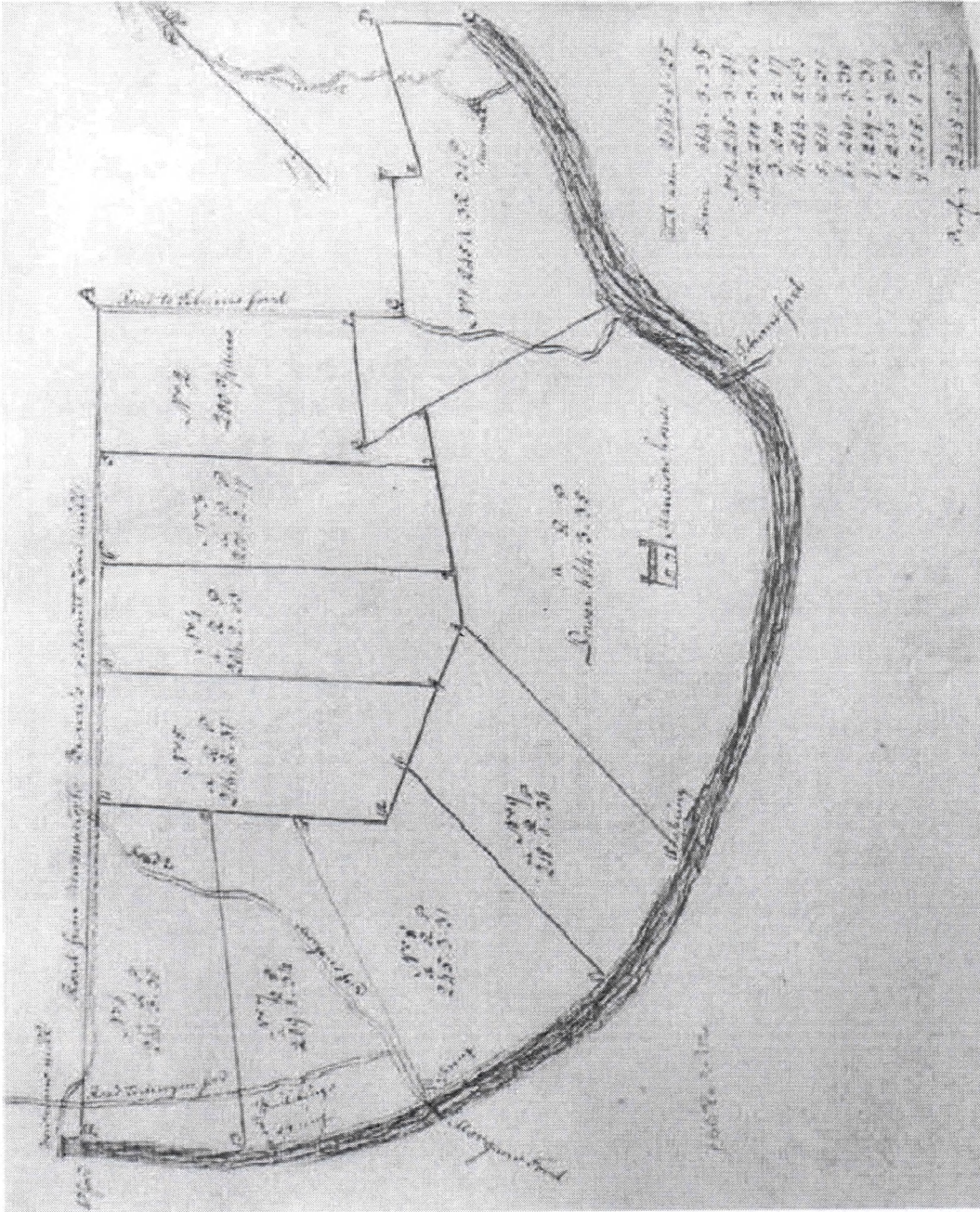
The gruesome events of Berkeley's murder occurred on the evening of Tuesday, May 12, when the entire family was at home. London, an eighteen- or nineteen-year-old slave whom Berkeley had inherited from his father, summoned him with important news—Randolph was back. London told Berkeley that two men had brought home the run-away slave, who had been missing for several weeks, and were holding him in a cabin. Berkeley, cautious enough to take his pistol with him as he accompanied London to the cabin, apparently never questioned why the men did not come to the house.⁵

Little is known about Randolph, but his actions attest to discontent with his lot in life. He was born a slave in central Virginia, sold at the age of nine or ten to a man in Frederick County, and then to Berkeley at twelve or thirteen. Running away was a common protest against slavery; so was passive resistance. Both were frequent at Rock Hill. Writing to Julia about the Rock Hill slaves, her brother George complained that "a more worthless and idle sett I never saw—Jacob now pretends that he has lost the use of one of his hands, and I believe they will all lose the use of their hands very shortly—as they will find that will keep them from work." Randolph was evidently not alone in his grievances.⁶

London had been sent to fetch Berkeley by another slave, Sarah. Both had full knowledge of what was intended. Like London, Sarah had descended to Berkeley from his father. When Berkeley entered the cabin, Randolph was indeed there waiting—club in hand. The "two men" were nowhere to be seen, but Sarah and Ralph, also a slave, were present as well. Berkeley quickly grabbed the club and demanded Randolph's intentions. With both hands Randolph seized Berkeley, who threatened "to take out his pistol and shoot him." The fugitive slave then tripped Berkeley, grabbed the club, and beat him repeatedly.

⁵ The narrative of Robert Berkeley's murder and the trials of the accused slaves and free blacks can be pieced together from trial testimonies and newspaper accounts. See FMB, 1817–1820, pp. 75–100; *Alexandria Gazette and Daily Advertiser*, May 27, 1818; *Leesburg Genius of Liberty*, June 9, August 4, 1818; *Richmond Enquirer*, June 9, July 17, 1818; and *Woodstock (Va.) Herald*, May 27, June 3, June 10, 1818. The killing of Robert Berkeley bears interesting parallels with other cases of slaves murdering owners. See Melton A. McLaurin, *Celia, A Slave* (Athens, Ga., and London, 1991).

⁶ George Carter to Julia Carter Berkeley, June 26, 1818, George Carter Letterbook, 217–21 (quotation on p. 219); and *Leesburg Genius of Liberty*, August 4, 1818. For a discussion of day-to-day resistance by slaves see Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York, 1974), 597–98; Peter Kolchin, *American Slavery, 1619–1877* (New York, 1993), 157; and Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York, 1956), 86–140.



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Illustration 2. After Robert Berkeley's death, the 2,648-acre estate of Rock Hill was divided among his wife and nine children according to this plat. Julia Berkeley received as her dower the section with the manor house overlooking the bend in the Shenandoah River. Newman's mill, where Sarah was held after the murder, is indicated in the upper left corner.

From *Frederick County Land Book I*. Frederick County Courthouse. Winchester. Virginia.

Berkeley cried to the others for help, first to Sarah and then to Ralph, but neither slave intervened. The blows continued until Randolph presumed that his victim was dead. He stepped outside the cabin, but London soon reported that Berkeley was still groaning. Randolph offered London the club to finish the job. When London declined, Randolph delivered three more blows to Berkeley, and "the groaning ceased."⁷

Although the slaves later revealed that they had plotted the murder in advance, they had apparently not planned how to dispose of the corpse. Randolph "went to the kitchen to consult with" Ralph and fellow slave, Harry, about the matter. Sarah and three other Berkeley slaves, Robin, Barnaba, and Tom, joined in the consultation. Ralph suggested that they put Berkeley's body on a horse and leave him on the road to Winchester, an apparent victim of highway robbery. Alternatively they could hide the body in "a pond in the meadow." Harry proposed burning it.

Court testimony stated that the conspirators burned Berkeley's body because they decided it was the best way to "conceal" the evidence of their crime, but incineration may also have had another, deeper significance for them. Robin disapproved of the decision, stating, "It was too evil to burn him." Too evil? Many Christians believed that, unless the body had a proper burial, the dead could not rise with Jesus on the Day of Atonement. Widespread in Africa was the belief that appropriate funeral rites were necessary in order to usher the dead out of human affairs and into ancestral spirit worlds. In the absence of these rites, burning might ensure that Berkeley would be gone forever, unable to return in any form. Witches, moreover, had been burnt to exorcise evil and its perpetrators. Whether the conspirators knew this is unclear, but the Bible, with which they would have been familiar, was unequivocal on the association of evil with the fires of hell. However evil burning was regarded, Sarah clearly considered it fit punishment for Berkeley, exclaiming, "The Devil is dead and we will burn him!"⁸

The conspirators searched Berkeley's pockets, finding keys and papers that they dropped to the floor. His head was already on the hearth

⁷ *Leesburg Genius of Liberty*, August 4, 1818; and FMB, 1817-1820, pp. 75-79 (first quotation on p. 75, second and third quotations on p. 76). Conflicting testimony from Ralph and Robin places Ralph asleep in the kitchen at the time of the murder.

⁸ FMB, 1817-1820, pp. 75-79. For discussions of African and African American ideas about death, the spirit, and the afterlife see Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth-Century Virginia* (Princeton, 1987), 96, 174, and 214-25; and Sobel, *Trabelin' On: The Slave Journey to an Afro-Baptist Faith* (Princeton, 1988), 70, 82, and 112.

in the cabin where he had been slain, and Randolph with Robin's help pulled the body onto it. They then kindled a fire with coals that London retrieved from the other end of the cabin. Ralph observed that all three of the conspirators seemed "wicked pleased," but none more than Sarah. Randolph, London, and Barnaba assisted her in the slow, grisly task, bringing wood while Sarah fed the fire.⁹

Through the night, as the corpse burned, the conspirators made further plans. Near daylight one of them awakened the slave Fanny and told her of the murder. She came to the cabin and observed the nearly consumed body. They later buried the remaining bones in the clay floor at the corner of the cabin. Sarah kept Berkeley's keys. Randolph threatened that if any of the witnesses told of the crime, he would lay in wait and kill them in the same manner. He then disappeared into the countryside, becoming once more a runaway. It was still not daylight when Fanny returned to the kitchen and assumed her usual duties.

Julia, the children, and John Robinson, the overseer, were ignorant of the night's grisly proceedings. As day broke, the slaves were careful to act as though nothing had happened. They simply explained to Julia that Randolph had run off again pursued by her husband and the two men. Inconvenienced in her household duties by the missing keys but otherwise unconcerned, Julia went about her daily routine. As mistress of Rock Hill and mother of nine young children, there was much to do. Meanwhile, the large number of slaves aware of what had happened the preceding night exhibited remarkable solidarity and composure. For the time being, they commanded the situation.¹⁰

Even though Berkeley failed to return on Wednesday, his absence provoked little suspicion. Late in the evening John Robinson sent a boy to the manor house for a bag of straw. Robinson had last seen his employer on Tuesday during a visit to the house after planting corn for the day. The boy returned to Robinson, stating that Mrs. Berkeley wished to see the overseer early the next day. When Robinson called on her during the morning of Thursday, May 14, she informed him of her husband's sudden disappearance and the explanation she had been given. Her most immediate concern was that the keys to the household provisions were missing—presumably with her husband—and she asked Robinson to go to the nearby village of White Post for groceries.

⁹ FMB, 1817–1820, p. 79–80.

¹⁰ For a discussion of slave solidarity see Norrece T. Jones, *Born a Child of Freedom, Yet a Slave: Mechanisms of Control and Strategies of Resistance in Antebellum South Carolina* (Hanover, Mass., and London, 1990), 16–17 and 98–105.

Julia Berkeley was clearly a determined and independent woman, but much about her behavior remains inscrutable. According to her brother George, her "judgement is generally strong, and she thinks correctly on most questions." He felt, however, that she had made a crucial mistake in conveying her legacy to her husband. On his unexpected death without a will, Julia could expect only a dower share, a one-third life interest in her own property, under the intestate laws of Virginia. George Carter was infuriated. He handled many of his sister's affairs after the murder and deemed her state as a "forlorn beggar upon the bounty of the law" as "too humiliating indeed to think of." He cautioned another sister, Sophia, against conveying her property out of "Sheer love" to some "avaricious wretch" for his personal gain. Instead, he advised her to "keep it as the paladium of your Liberty" and to spurn the "whining, sordid, sycophant, in the character of the Lover." Although there is no evidence that Carter ever mentioned his brother-in-law directly, his profuse and indignant criticism of his sister's situation bespoke little regard for Berkeley. Nonetheless, Robert Berkeley had won the trust and affections of Julia Carter, and it is surprising that she was not more distressed by his sudden disappearance.¹¹

Julia, her brother George, and their twelve surviving siblings had had a difficult and unusual childhood. Their father, Robert Carter, was alternately aloof and domineering. His wife, Frances Ann Tasker of Baltimore, although outwardly congenial, was often disabled by powerful fears of thunderstorms and of disease. Carter's political career began with appointment to the Virginia Council in the late 1750s, but he was a tortured soul who came to avoid public life and seek solace in evangelical religion, converting to the Baptist faith in 1778. Frances had periods of serious illness but bore many children, her last, Julia, in 1783. Carter noted then that his wife, although still cheerful, was an invalid. She, too, became a Baptist in 1786, and the couple sent their two youngest sons, John and George, ages fourteen and nine, to school in Providence, Rhode Island, where they would be removed from the influence of slavery. Frances died the next year, when Julia was only

¹¹ George Carter to Sophia Carter, June 26, 1818, George Carter Letterbook, 207-10 (first quotation on p. 208, subsequent quotations on p. 209). For an account of the disposition of Julia Berkeley's property under the estate of her husband see George Carter to Dr. Lyons, July 27, 1818, and Carter to Julia Berkeley, August 30, 1818, George Carter Letterbook, 216, 222; *Robert Berkeley's Heirs v. Robert Berkeley's Administratrix*, 1824, Frederick County Court Chancery Papers, 1745-1898 (Library of Virginia); and Frederick County Land Book, I, 334-39 (Frederick County Courthouse) (hereinafter cited as FLB).

four years old. Doubtful of his ability as a parent, Carter sent his three youngest daughters to Baltimore for their education. Despite the death of their mother, Carter did not allow his young sons to return home from Rhode Island for three more years.¹²

Meanwhile, Robert Cartier's curious personal and spiritual journey continued. While the Baptist church softened its antislavery position, Carter publicly supported general emancipation in Virginia. He explored mysticism, joined the Swedenborgian church, and in 1791 formulated a program for freeing his five hundred slaves, which continued through 1812, after his death. Carter's plan for gradual emancipation dramatically increased the free black population of Frederick County and influenced events surrounding his son-in-law's murder. Carter believed that "to retain them in Slavery is contrary to the true principals of Religion & Justice, & that therefore it was my duty to manumit them." Robert Carter also divested himself of most of his property, giving each of his surviving children twenty-five hundred acres of land. Although he had shielded them from the effects of slavery, all of his offspring, including Julia and George, became slaveholders, and the management of slaves proved difficult for them. As George wrote to his sister, "my dear Julia, rest assured, that if I know myself aright, I must know that I do not understand the management of slaves neither do I think you do, or that either of us ever will."¹³

Julia certainly failed to understand events at Rock Hill in the aftermath of the murder, and for a while the slaves' deception was complete. On the morning following the murder, Sarah went to the house on her usual business but with the household keys hidden in her pocket. She found Fanny in the cellar and told her to help look for Berkeley's money. Sarah's sister Thamon had said that he kept it in the sideboard in a black bag. Sarah unlocked the sideboard, and Fanny removed a

¹² Hunter Dickinson Farish, ed., *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion* (Williamsburg, Va., 1957), 40 and 183; Morton, *Robert Carter*, 31-61, 205-50, and 270; and Shomer S. Zwelling, "Robert Carter's Journey: From Colonial Patriarch to New Nation Mystic," *American Quarterly*, XXXVIII (Fall 1986), 613-36.

¹³ Deed of Emancipation, August 1, 1791, Robert Carter Papers, Vol. XI, pt. 1, pp. 1-2 (Perkins Library, Duke University, Durham, N.C.), quoted in John Randolph Barden, "Flushed with Notions of Freedom: The Growth and Emancipation of a Virginia Slave Community, 1732-1812" (Ph.D. dissertation, Duke University, 1993), 7; George Carter to Julia Carter Berkeley, June 26, 1818, George Carter Letterbook, 217-21 (second quotation); and Morton, *Robert Carter*, 245-69. For more on management of slaves see Genovese, *Roll Jordan Roll*, 3-24; and Jones, *Born a Child of Freedom*, Chaps. 1-4. Genovese emphasizes the complexity of the paternalistic relationship between masters and their slaves, while Jones characterizes master-slave interactions as a continual state of war (pp. 162-93).

small bag containing a large sum in bank notes. Taking the money, Sarah locked the sideboard and returned the keys to her pocket.

Despite the murder of their master and their newly acquired wealth, all of the slaves, except the runaway Randolph, remained at Rock Hill and went about their customary occupations. Not until four days later, on Saturday, May 16, was any alarm raised. A neighbor John Rust heard that Robert Berkeley had been missing since Tuesday. The circumstances, and perhaps his own experience, convinced Rust that all was not right. He, himself, was no stranger to interracial violence. A brand on his left hand was punishment for murdering his slave Jacob in 1799. In future years, the ambitious Rust became the owner of all the Berkeley property at Rock Hill and lived in the brick manor house. But four days after Berkeley's murder, Rust alarmed the neighbors and instructed them to meet there. He first informed Julia Berkeley of his apprehensions but then told her not to be alarmed—the neighbors would soon collect to make the search. When several men had gathered, they took London and Barnaba, tied them, and isolated them in separate cabins under guard.¹⁴

Overseer Robinson soon reported that London had confessed to murder. At that point, the youth was brought before two county magistrates who had arrived at Rock Hill to aid the investigation. "Well London I understand you have told the truth once," one of them said, "let us hear you tell it again." London repeated his confession and further stated that the plot had been agreed upon the preceding Friday night and that when he had gone to fetch his master, he knew full well "the object was to kill him." He also told his examiners that Berkeley's bones were buried in the clay pit at the end of the cabin.¹⁵

A search revealed the scant remains of Robert Berkeley, and his brass buttons were found among the ashes in the fireplace. Sarah, Robin, Ralph, Thomas, and Harry were arrested, bound, and held separately for questioning. All initially denied any knowledge of the murder but later confessed before magistrates reportedly without "threats, promises or persuasions" upon hearing that the plot had been disclosed by others. Sarah would not give a full confession. After she heard that London broke down, she stated that he had hit Berkeley too.

¹⁴ Frederick County Court Order Book, XXXI, 84 (Frederick County Courthouse); Frederick Superior Court Order Book, III, 335 (Frederick County Courthouse); Samuel Kercheval, *A History of the Valley of Virginia* (5th ed.: Strasburg, Va., 1973), 359; and J. E. Norris, *History of the Lower Shenandoah Valley Counties of Frederick, Berkeley, Jefferson, and Clarke* (Chicago, 1890; Berryville, Va., 1972), 165.

¹⁵ FMB, 1817–1820, pp. 76–77 (quotations on p. 77).

She said no more. Kept that night at the nearby mill of John Newman, a justice of the peace, Sarah made "some noise" and uttered "religious phrases," but her guard "could get nothing out of her, that he could understand." On the way to Winchester, the Frederick County seat, the next morning, someone again questioned her about the murder. She simply replied that "they all knew [about] it," except for her sister's husband, Tom. Meanwhile Randolph remained at large, much to the distress of the white community.¹⁶

Newspapers spread the alarm throughout the state, announcing "a murder, accompanied with circumstances of the most horrible and savage barbarity." Most accounts attributed the crime to robbery, but one Shenandoah Valley newspaper observed that Randolph, appearing "more savage than the rest" and fearful of the chastisement he would receive as a runaway, "thought this a good opportunity of accomplishing his nefarious views" and "hellish scheme." The press warned that the "principal perpetrator" was still at large but assured its readers that "diligent pursuit is . . . pressing upon him." A "liberal reward" was offered for his capture, but the editor of the *Alexandria Gazette* "hoped that other motives will induce every member of the community to be on the alert in apprehending the murderous monster, and bri[n]g him to that punishment his crime so richly merits." Nine days after the murder, on Thursday, May 21, Randolph was finally sighted at a farm near Winchester.¹⁷

On May 20, in this atmosphere of anxiety and turmoil, Episcopal clergy from throughout Virginia gathered in Winchester for their annual convention. While important for conducting church business, these meetings also functioned as "genteel revivals" for lay people, and large crowds attended. William Meade, a popular young Frederick County rector who was leading the evangelical renewal of the Episcopal Church in Virginia, delivered the introductory sermon. He was a slaveholder but one so deeply troubled by the peculiar institution that he later freed his own slaves, worked to reform plantation society, and promoted gradual emancipation. Throughout his ministry he reached out to people of color and stressed that all souls were equal in the sight of God.¹⁸

¹⁶ FMB, 1817-1820, p. 81-82 and 90 (quotations on p. 81).

¹⁷ *Alexandria Gazette and Daily Advertiser*, May 27, 1818 (first, fifth, sixth, seventh, and eighth quotations); and *Woodstock (Va.) Herald*, May 27, 1818 (second, third, and fourth quotations).

¹⁸ Arthur Dicken Thomas Jr., "The Second Great Awakening in Virginia and Slavery Reform, 1785-1837" (Th.D. dissertation, Union Theological Seminary, 1981), 94 (quotation); *Alexandria*

Although he did not speak of the murder itself, the issues of the day were clearly on his mind as he opened the proceedings. He began by asking a special blessing for "the church in this place and the vicinity thereof." He spoke at length of the revival of the church, the good works of its members, and his hopes for its future. But his peroration dealt with relationships between masters and slaves. Meade claimed that, just as clergymen assume a larger responsibility to God for the spiritual health of their congregations, so, too, do slaveholders bear an added duty for their own households, which included bondsmen and bondswomen. The spiritual instruction of slaves was an obligation "which should press heavily upon the mind of every inhabitant of our state." Religious education, according to Meade, was not likely to produce insubordination, as many feared. "There are differences of color, and disparity of station among men, but the value of the soul is the same in all." He observed that Christians

should make each plantation a little village, with its schoolhouse and its temple, its pupils and worshippers, its teachers and domestic priests. But even here, in this dark vale of sorrow, we have some cause for rejoicing. The spiritual, as well as temporal condition of this class of our fellow creatures is considerably ameliorated. The light of the sun of righteousness shines sweetly through many of the once darkened souls of the sable sons of Africa; a communion of soul often takes place between the master and his slave, and they both look forward with joy to the time, when soul shall meet soul in the still freer, sweeter, intercourse of Heaven.¹⁹

William Meade was making the best of the crisis. Within their immediate sphere of influence Christians should work to improve conditions and turn existing evil into future good. Social tensions that led

Gazette and Daily Advertiser, May 27, 1818; and David Lynn Holmes Jr., "William Meade and the Church of Virginia, 1789-1829" (Ph.D. dissertation, Princeton University, 1971), 116 and 203-7. William Meade acted on his antislavery beliefs in emancipating slaves from the estates of two deceased sisters and aiding another sister in freeing her slaves and sending them to Liberia. After manumitting his own slaves, he honored their desire to relocate in Pennsylvania and helped establish them there. See Will of Susan Meade, July 3, 1820, in letter from Ann Randolph (Meade) Page to Mary Lee (Fitzhugh) Custis, August 24, 1830, and William Meade to Custis, April 9, 1823, April 13, 1830, all in Custis Papers (Virginia Historical Society); and Marie Tyler McGraw, "The American Colonization Society in Virginia, 1816-1832: A Case Study in Southern Liberalism" (Ph.D. dissertation, George Washington University, 1980), 78-79.

¹⁹ William Meade, *Sermon, Delivered . . . at the Opening of the Convention of the Diocese of Virginia, at Winchester, May 20, 1818* (Winchester, Va., 1818), 10 (first quotation), 22-24 (second quotation on p. 22, third quotation on p. 23, fourth quotation on p. 24). Jan Lewis has explored how recasting the plantation as a Christian community allowed many slave owners to believe that "slavery might be moral if planters loved their slaves." See Lewis, *The Pursuit of Happiness: Family and Values in Jefferson's Virginia* (Cambridge, Eng., 1983), 221-22 (quotation on p. 222).

to violence could be resolved in a true Christian community. While conditions of birth produced disparities in station, masters and slaves had mutual obligations. Masters, however, bore the final responsibility for the spiritual health of their households. Although an earthly necessity, social inequity—and the guilt that some Christians felt in the oppression of blacks—should encourage them to anticipate the end of time, when the true unity of souls would be accomplished. In the minds of evangelicals like Meade, sharing Christianity with slaves was an important duty and also the basis of communion between whites and blacks that presumably could have prevented the murder of Robert Berkeley. If the sin of slaveholding was the unthinkable explanation for Berkeley's slaying, then absolution would come with the redemption of both master and slave. About the convention the local newspaper reported that "the public have been gratified, and we trust edified, by powerful displays of pious eloquence; on no occasion perhaps have people evinced more serious attention to divine truths, than on the present; happy indeed will it be if their impression shall prove lasting!"²⁰

For some, "divine truths" must have hit home the following day, May 21, when "as tremendous a hail-storm as has perhaps ever been experienced" shook the community. "The storm lasted from five to ten minutes and in less than that time the streets assumed a perfectly white appearance," according to newspaper accounts. "The hail was generally from one inch to an inch and an half diameter; windows were broken, limbs of trees were broken off, and many garden vegetables prostrated to the ground. It is feared that the growing crops have sustained a serious injury."²¹

Despite the storm Randolph was finally apprehended the following day and confined in the Winchester jail. Samuel Hackney, a local free black, aided in Randolph's capture and later received a ten-dollar reward from Berkeley's estate. Randolph had only \$1.25 in his pocket. Most of the stolen money was retrieved elsewhere. Seven of the bank notes were found with Will, a slave on a neighboring farm, and four with Thomas Newman, also a free black. A farmworker known as Mr.

²⁰ For Meade's thoughts on instructing slaves see William Meade, *Pastoral Letter . . . on the Duty of Affording Religious Instruction to Those in Bondage* (Alexandria, D.C., 1834), 3–5 and 13–16; and *Alexandria Gazette and Daily Advertiser*, May 27, 1818.

²¹ Woodstock (Va.) *Herald*, May 27, 1818 (quotations); and *Alexandria Gazette and Daily Advertiser*, May 27, 1818, reprinted from the *Winchester Gazette*, May 23, 1818.

Oliver located another eighty dollars in the cabin of Sarah's brother-in-law, Tom. But it was Samuel Hackney who uncovered the bulk of the stolen money, \$972, in a black bag under the corner of Sarah's cabin. He then found the missing keys beneath a slab at Sarah's front door and received an additional twenty-dollar reward. But curiously, \$2,873, the lion's share of the money presumably deposited by Berkeley in the sideboard at Rock Hill, was left there by the calculating slaves.²²

The trials for the accused slaves began on Monday, May 25, in the old courthouse in Winchester. The venerable building, with its steeple and bell, stood at the east end of the courthouse square enclosed with a post-and-rail fence. "Black Betty," the whipping post, commanded the center of the yard; nearby stood two platforms with pillories. Beneath the projecting gable of the courthouse with its bull's eye window, large stone steps led into the main entrance. The formal and dignified surroundings setting off the visible instruments of punishment reflected the power of white society whose laws it served. Inside, "nearly opposite the front door," stood the clerk's desk, raised about four feet above the floor. Daniel Lee was the clerk of court. Described by contemporaries as tall, black-eyed, and elegant, an able lawyer and masterful servant of the court, he sat straight and expressionless over his copious papers "kept . . . as if they were bank notes."²³

On the north side of the building sat the hustings bench for the justices, thirty feet long and raised for a commanding view of the proceedings. Joseph Tidball was the only justice to sit for all sessions in the Berkeley murder trials. Justice John Newman had assisted in the apprehension of the accused, he had incarcerated the slave Sarah in his mill, and he would testify at the trial of Barnaba. Newman would later join fellow justices William Cook and James Davis, also a witness, and John Rust as court-appointed appraisers of the Berkeley estate. Sixteen other justices served during the various trials.²⁴ These men constituted

²² Estate of Robert Berkeley, FLB, I, 339-45; and FMB, 1817-1820, pp. 82 and 99-100. For more on the relationships among slaves, free blacks, and whites during this period see Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York and Oxford, 1996).

²³ William Greenway Russell, "What I Know about Winchester . . .," edited by Garland R. Quarles and Lewis N. Barton (originally published in *Winchester News*, January-June 1876; reprinted in 1953 as Vol. II of *Winchester-Frederick County Historical Society Papers*), 71-72; and David Holmes Conrad, "Early History of Winchester," *Annual Papers of Winchester Virginia Historical Society* 1 (1931), 223.

²⁴ Russell, "What I Know about Winchester," 71; FMB, 1817-1820, pp. 75-100; and Inventory and Appraisalment of the Slaves and Personal Estate of the late Doctr. Robert Berkeley.

the upper class of their society, and all but two of those for whom accounts exist held slaves. Their holdings ranged from one to twenty-seven slaves, with an average of nine. Each controlled more wealth than did four out of five other citizens in Frederick County. They lived in comfortable houses in Winchester or on farms in the longer-settled parts of the county. This elite, however, did not always enjoy the unspoken deference of the common people. On at least one occasion residents from the remote regions of the county complained that the justices represented only the wealthier areas and for twenty years had considered their own interests alone. To the accused slaves, however, these traits would have only served to impress upon them further the fearful intimidation of the law.²⁵

Augustine C. Smith, a leading Frederick County attorney, served as counsel for the slaves. Widely respected as a scholar, Smith also served the community as teacher and preceptor at the Winchester Academy. His activities extended as well into another area bearing on what the murder of Robert Berkeley meant to his contemporaries. Smith was secretary of the Auxiliary Society of Frederick County for Colonizing the Free People of Colour.²⁶

The Frederick County auxiliary was the first affiliate formed to support the efforts of the American Colonization Society, which was established in Washington, D.C., in December 1816. William Meade was one of the society's founders and served as its first manager. The Frederick auxiliary met initially in September 1817, eight months before Robert Berkeley's murder. Within a short time thirty-five subscribers had pledged far more money than had members of any other auxiliary—a sum of six thousand dollars including one hundred dollars from Berkeley himself. Also among the contributors were justices James Baker, James Davis, and David Meade.²⁷

²⁵ Frederick County Personal Property Tax Books, 1820 (Library of Virginia); Warren R. Hofstra, "These Fine Prospects: Frederick County, Virginia, 1738–1840" (Ph.D. dissertation, University of Virginia, 1985), tables 1, 4, and 5; and Frederick County, Va., Legislative Petition, December 16, 1816 (Library of Virginia).

²⁶ Conrad, "Early History of Winchester," 191–92, and 194; Norris, *History of the Lower Shenandoah Valley*, 196; and Frederick County Auxiliary Society, *Annual Report of the Auxiliary Society of Frederick County, Va. for Colonizing the Free People of Colour in the United States* (Winchester, Va., 1820), 3 and 36.

²⁷ Frederick County Auxiliary Society, *Annual Report* (1820); P. J. Staudenraus, *The African Colonization Movement, 1816–1865* (New York, 1961), 27 and 70; McGraw, "American Colonization Society," 78; Augustine C. Smith to Elias Caldwell, April 25, 1819, Peter Force Collection (Manuscript Division, Library of Congress); and Account of the Estate of Robert Berkeley, FLB I, 340.

The founders of the American Colonization Society regarded their plan to transport free blacks from the United States to a new colony on the west coast of Africa as a benefit to all parties. The rapidly growing number of free blacks, so alarming to whites as possible insurgents against slavery or examples of freedom to the enslaved, would be siphoned off to Africa. There, it was hoped, they would enjoy true liberty, free of the prejudice that kept them in political, social, and economic bondage in the United States. Africa, members believed, would benefit from an infusion of Christianity, commerce, and western civilization. Many early supporters of colonization hoped that it would encourage manumissions and result in a gradual emancipation of slaves.²⁸

The members of the Frederick County auxiliary were among the most vigorous of all supporters of colonization. Frederick County was not typical of Virginia plantation culture. Located west of the Blue Ridge in the lower or northern Shenandoah Valley, the county had been settled by a mixture of English planters and African slaves from Tidewater Virginia, Germans from Pennsylvania, Scots-Irish, and Quakers. Wheat, not tobacco, was the primary crop and underlay a market-town economy of diverse trades and services more characteristic of the free-labor North than the slave South. Throughout the eighteenth and into the nineteenth centuries, Anglo-American slaveholders were in a minority, and the population of free blacks was substantial. From 1790 to 1820 it increased dramatically from 3 to 12 percent of the black population.²⁹

Julia Berkeley's father, Robert Carter, had himself made a significant contribution to the change in demographics and social tensions when he manumitted seventy-two slaves in Frederick County between 1800 and 1804. "It appears to me (witnessing the consequences) that a man has almost as good a right to set fire to his own building though his neighbors is to be destroyed by it, as to free his slaves," wrote one

²⁸ Frederick County Auxiliary Society, *Annual Report* (1820); American Colonization Society, *First Annual Report*, 1817, *Second Annual Report*, 1818, copies in American Colonization Society Papers (Manuscript Division, Library of Congress); McGraw, "American Colonization Society," 53 and 79; and Staudenraus, *African Colonization Movement*, 71-72.

²⁹ Rebecca A. Ebert, "A Window on the Valley: A Study of the Free Black Community of Winchester and Frederick County, Virginia, 1785-1860" (M.A. thesis, University of Maryland, 1986), 5-7; Bureau of the Census, *First Census of the United States, 1790, Return of the Whole Number of Persons within the Several Districts of the United States* (Philadelphia, 1791), 48; and Bureau of the Census, *Fourth Census of the United States, Census of 1820* (Washington, D.C., 1821), 24.

anxious Frederick County resident claiming to speak for the majority. "I have not heard a single instance among those you have freed meriting your liberality . . . by mixing with those in bondage . . . they disquiet their minds—aid them in procuring false and stupid certificates of their being Mr. Carter's free men—the consequence of which is they seek their fortunes, as they call it, some escape." Augustine Smith, writing on behalf of the Frederick County auxiliary, echoed these sentiments more than two decades later, not long after the murder of Robert Berkeley:

The free negroes corrupt our slaves by urging them to plunder the community and affording a receptacle to the fruits of their depredations; by also inculcating ideas of freedom and independence, which must terminate in insurrection. Some individuals of this class, we readily admit, by their honesty and industry have surrounded themselves with many of the comforts of life; but, unfortunately, their example is not less dangerous than that of an emancipated vagabond. By witnessing the situation of his affluent brother, the slave contrasts it with his own, pants for liberty, becomes discontented and disobedient, and in order to move in the same sphere with the fraternity of freed-men, at the expence of his integrity mimics the dress and manners of fashionable life. From what has been urged, the expediency of removing this nuisance from the community is clearly inferable, both in relation to their interest and ours; and this end can only be attained by means of the colonizing Society.³⁰

While the plan for colonization gathered little support among blacks, the literature of the auxiliary in Frederick County illustrated that whites were deeply troubled by the moral contradictions of slavery. Free blacks reminded not only slaves of freedom but also slave owners that they deprived slaves of that freedom. The organization unequivocally professed "that slavery is an evil no one can deny. All must desire to cure this disease or mitigate its ravages." Auxiliary members were keenly aware of the destructive effects that slavery had on the whole community. It stifled economic growth and debased both whites and blacks. The report quoted Jefferson's famous warning that the "whole commerce between master and slave is a perpetual exercise of the most boisterous passions; the most unremitting despotism on the one part, and degrading submissions on the other." Thus the auxiliary called for local members to "prepare the way for the gradual emancipation and

³⁰ Letter of August 5, 1796. Anonymous Letters to Robert Carter, 1784–1796, Carter Manuscripts, as quoted in Morton, *Robert Carter*, 266–67 (first quotation); Frederick County Auxiliary Society, *Annual Report* (1820), 14–15 (second quotation on p. 15); and Ebert, "Window on the Valley," 12–13.

colonization of our slaves." The report boldly proclaimed the equality of the races, citing for proof the Declaration of Independence, Roman philosophy, and the Bible: "God hath made of one blood all nations of men to dwell upon the face of the earth." It also quoted contemporary blacks who asked of those who considered slavery a blessing, "If their declarations be sincere, why not put themselves in our place?"³¹

Robert Berkeley was a member of the auxiliary, but he differed from many supporters in two important ways. First, he failed to perform what Meade described as the Christian duty to educate slaves in religion and scripture. Second, he bought and may have sold slaves, actions that many people in the community found objectionable especially when they broke up families. In 1818 Berkeley held three fewer slaves than he had two years earlier, and sales of some of those individuals could account for the large amount of cash in the sideboard as well as the deep enmity of the blacks at Rock Hill.³²

These Frederick County evangelicals and colonizationists, many of whom sat on the county bench, understood, in Thomas Jefferson's famous phrase, that they had "the wolf by the ears." The murder of Robert Berkeley was a powerful demonstration to the people of Frederick County that they could neither hang on nor let go. They could expect neither to hold nor to free their slaves and at the same time secure the peace of society. The social tensions in the community that underlay the murder and the general alarm it raised reinforced the colonization auxiliary's argument for the transportation of freed people as the only way out of the dilemma. But few held out hope that this objective could be achieved in the foreseeable future. Fears in the present crisis permeated the auxiliary's concluding argument on the expediency of colonization, which again quoted Jefferson: "I tremble for my country when I reflect that God is just, and that his justice

³¹ Frederick County Auxiliary, *Annual Report* (1820), 13–22 (first quotation on p. 15, second quotation on pp. 15–16, third quotation on p. 13, fourth quotation on p. 19, and fifth quotation on p. 20).

³² *Leesburg Genius of Liberty*, August 4, 1818; Charles P. Poland, *From Frontier to Suburbia* (Marceline, Mo., 1976), 143–44n66; Arthur Dicken Thomas Jr., "'O That Slavery's Curse Might Cease': Ann Randolph Meade Page: The Struggle of a Plantation Mistress to Become an Emancipator," *Virginia Seminary Journal*, XLV (December 1993), 60; and Frederick County Assessment Book, 1816, as cited in Griffith, "Notes on Rock Hill," 43–48. Many slaveholders in the upper South sold slaves during this period, fulfilling a strong demand for slave labor in the lower South after the closing of the foreign slave trade. See Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison, Wisc., 1989). For a treatment of the importance of kinship ties among slaves see Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750–1925* (New York, 1976).

cannot sleep forever. The Deity knows no attribute that can take sides with us in such a contest."³³

In view of the apprehensions of the community regarding blacks and its ambivalence toward slavery, the trials of the slaves accused in the murder of Robert Berkeley could hardly have been summary proceedings intended only to endorse executions. Whether or not they were inherently fair, the court procedures met every requirement of the law. In the antebellum South, the code of paternalism required the strong to extend their largess and protection over the weak. Even if the outcome of the trials was foreordained, a strong defense, in this case provided by Augustine Smith, upheld the dignity of the judicial process and assuaged uneasy consciences.³⁴

London was the first to stand before the bar when the trials began on May 25. Like each of the accused in turn, he pleaded "nowise thereof guilty." When first taken into custody, he was encouraged to tell all he knew with promise of leniency on account of his youth, but his cooperation with the law earned him no favors and his trial proceeded without any concessions. The trials of Barnaba, Sarah, and Robin followed the next day, Randolph's trial was scheduled for Monday, June 1, and the court continued those of Ralph, Harry, and Thomas to a session held on June 3. On that day Will was tried for "having received seven Bank notes from negro Randolph," and Thomas Newman, the free black, for accepting four of the stolen notes from Will.³⁵

The atmosphere in town and county seemed portentous. "In addition to the murder, and other dispensations of Providence, which it has lately fallen to our lot to announce, it devolves upon us to record another visitation with which this place was afflicted," announced the *Woodstock Herald*. On May 31, the Sunday before Randolph's trial, the community was hit by another terrible storm, even more awesome and devastating than the one that had preceded his capture a week and a half earlier. This time, a violent rainstorm flooded the town of Winchester within a few hours. "The flood was awful and tremendous," the *Herald* reported, "the main street had the appearance of a

³³ Thomas Jefferson to John Holmes, April 22, 1820, quoted in John Chester Miller, *The Wolf by the Ears: Thomas Jefferson and Slavery* (New York, 1977), 241 (first quotation); and Frederick County Auxiliary Society, *Annual Report* (1820), 22 (second quotation).

³⁴ McLaurin, *Celia*, 68–87, and 118–19; Diane Miller Sommerville, "The Rape Myth in the Old South Reconsidered," *Journal of Southern History* LXI (August 1995), 481–518 (esp. pages 483 and 510); and A. E. Keir Nash, "Fairness and Formalism in the Trials of Blacks in the State Supreme Courts of the Old South," *Virginia Law Review*, LVI (February 1970), 82–84.

³⁵ FMB, 1817–1820, pp. 75 (first quotation), 78, 81–82, 84, 89, and 99 (second quotation).

river, the depth of water, in some parts of it, being sufficient to sail a boat of considerable burden."³⁶

When Randolph's trial opened, John Rust testified that the accused admitted guilt upon his capture but claimed "he never should have done it, but that he was persuaded to it, by Negro Sarah." The full depth of Sarah's role in the murder remains a mystery, but her strong motivation to end Berkeley's life and her considerable influence over other slaves were apparent throughout the events of the slaying and the trials. In a later confession Randolph stated that the plot to kill Berkeley was formed in July of the previous year and that he became party to it in February 1818 when he returned to Rock Hill from another residence nearby. He remained determined to carry out the plan until he ran away three weeks before the fateful evening. But, according to the confession, hunger drove him back to Rock Hill. Berkeley met him at the cabin where Randolph "told him I wanted something to eat." Berkeley then "asked what I wanted with the stick I had in my hand—I told him it was my walking stick—he told me to give it to him, which I refused, and ondoing so he strove to wrest it from me, when I struck him; and before we gave over the struggle . . . I killed him, . . . through fear that if he got the better of me he would have killed me."³⁷

Thus the court proceedings themselves were curiously mute on the issue of what actually motivated Berkeley's slaves to conspire and brutally murder him. Randolph's claim of self-defense was not part of his trial testimony. Adopted, perhaps, as self-justification in the face of imminent execution, it contradicted prior admissions of conspiracy. The jailer, moreover, deposed that Randolph "would not have done it, had it not been for those negroes who were brought from the lower Country." The accused confessed to committing robbery, but no evidence substantiated theft as a possible incentive for murder. In their confessions, Randolph and London expressly denied that they killed Berkeley for his money, although Randolph may have taken a small

³⁶ Woodstock (Va.) *Herald*, June 10, 1818 (quotations). Another tragedy had occurred on May 25, when the mail stage from Winchester overturned at Harpers Ferry, killing one female passenger and seriously injuring several others. See Woodstock (Va.) *Herald*, June 3, 1818; and Leesburg *Genius of Liberty*, June 9, 1818.

³⁷ FMB, 1817-1820, pp. 89-90 (first quotation on p. 90); and Leesburg (Va.) *Genius of Liberty*, August 4, 1818 (second and third quotations). One inconsistency in the historical records is the nature of the murder weapon. In London's court testimony (the first and most complete description of the crime) and in the newspapers it is called a club; at Randolph's trial Randolph purportedly admitted to killing Berkeley with a stone; and in the published confessions it was a walking stick.

sum off the body. Fanny testified that she had not heard Randolph make any mention of money, and he in fact had fled before the larceny at the sideboard. Sarah's leadership of the conspiracy and murder suggests that she may have been the victim of sexual exploitation or suffered the severance of an important kinship tie, both leading causes of antagonism between masters and slaves. Retaliation for physical or psychological cruelty and the desire to prevent further mistreatment often motivated blacks to assault whites. Blacks also killed whites out of fear of exile to hard labor and banishment from kin on Deep South cotton or sugar plantations, a common punishment imposed by masters on recalcitrant slaves.³⁸

As a returning runaway, Randolph could have been motivated by fear of being sold. George Carter expressed a view that his brother-in-law might have shared: "As long as my slaves choose to remain with me, I feel attached to them, but as soon as they leave me, I consider myself absolved, from every tye of affection. I have determined that . . . [none] of those that have ran off, shall ever live again on my farm." But if Randolph acted to save himself, it is not clear why so many other slaves were willing, even eager, to join into the conspiracy and risk their own lives.³⁹

While the number of organized rebellions was limited, slaves often struck out at the oppressive world around them. During the decade beginning in 1810, Virginia executed 185 slaves for capital crimes and compensated their owners for economic loss. "Though in most cases the violence perpetrated by slaves could not have been rationally regarded, by either the slaves or their masters, as attempts at freedom," observes historian Winthrop D. Jordan, "one suspects these incidents must often have involved very little in the way of rationality on either side. Because Negroes were slaves, Negro violence was for both blacks and whites an attack on slavery." Virginia law certainly recognized the connection between acts of violence and insurrection—it equated the conspiracy of slaves to kill a white person with conspiracy to rebel. Extending from 1723 until 1865, Virginia outlawed both types of conspiracies in the same laws and required identical penalties for each.⁴⁰

³⁸ FMB, 1817–1820, p. 90 (quotation); Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1705–1865* (Baton Rouge, 1988), 240; and Jones, *Born a Child of Freedom*, 7.

³⁹ George Carter to Edmund McGinnis, May 11, 1814, George Carter Letterbook, 109.

⁴⁰ Winthrop D. Jordan, *White Over Black: American Attitudes Toward the Negro, 1550–1812* (Chapel Hill, 1968), 393; Ulrich B. Phillips, "Slave Crime in Virginia," *American Historical*

The court, despite the appearance of equity, was an instrument for enforcing the oppressive code of slavery. The victim in this case was himself a justice and a member of the slave-owning class. Just as Randolph and others were condemned, so Berkeley's character had to be publicly exonerated. Two white witnesses, James Davis and Ezekiel White, "concurred with the other witnesses in stating that the deceased was an uncommonly lenient humane and indulgent master." The *Richmond Enquirer* thought this commendation important enough to include it in its extensive coverage of the trials: "It gives us pleasure, in reference to the character of the deceased, to state (although it was irrelevant to the subject at issue) that the most ample and respectable testimony was exhibited, which placed his character, as a master, in a very exalted point of view. He was represented by several highly respectable witnesses as treating his slaves with the utmost humanity, and, indeed, *excessive* indulgence."⁴¹

Silence in the courtroom on the issue of motive suggests that whites could not recognize or even consider that murder might mean more than a momentary grievance and represent an assault against the institution of slavery itself. A discussion of motive might have raised the awful prospect that Berkeley's slaves had real, albeit criminal, reasons for murdering their owner, and acknowledging those reasons would call into question the legitimacy or morality of the system that held blacks in bondage. Randolph's disappearances were protest enough. Sarah regarded Berkeley as "the Devil" himself. And according to Samuel Hackney, the free black who helped capture Randolph and find the stolen money, the slave Robin had once declared that Berkeley "was a bad master, and that he would sooner die than serve him."⁴² Slaves at Rock Hill had plotted to kill Berkeley for nearly a year, and the conspirators finalized their plans a full five days before the murder. They acted from no blind passion or innate barbarity, but cold logic and single-minded determination. If Berkeley, who was thought to be "humane and indulgent" by whites, evoked violent hatred from his "people"—to a degree that they were willing to die to be rid of him and did just that—then no colonization program, no moral wrangling over

Review, XX (January 1915), 337; and Philip J. Schwarz, "Forging the Shackles: The Development of Virginia's Criminal Code for Slaves" in David J. Bodenhamer and James W. Ely Jr., eds., *Ambivalent Legacy: A Legal History of the South* (Jackson, Miss., 1984), 135.

⁴¹ FMB, 1817–1820, p. 77; and *Richmond Enquirer*, June 9, 1818.

⁴² FMB, 1817–1820, p. 79 (first quotation), and 83 (second quotation).

the justice of slavery, and no Christian effort to ameliorate the condition of slaves in the communion of souls could absolve whites of guilt or free them from the fear that they like Berkeley might be victim to the psychological and physical violence at the heart of the peculiar institution. It was precisely at this point that the contradictions inherent in the slaveholders' world were unmasked, and the tensions they produced rendered intolerable. The slaves could have no motive, or slavery itself would be indicted.⁴³

Thus the court rendered its verdicts: Randolph, Sarah, London, Robin, and Barnaba were guilty and sentenced to hang. No testimony was presented against Ralph, Thomas, and Harry, and they were acquitted. Will pleaded not guilty, but "sundry witnesses" testified against him. Condemned as, "a man of notoriously bad character and dangerous to society," he was sentenced by the justices to twenty-four lashes at the public whipping post and committed to custody until owner Henry Peack posted a seven-year bond of one thousand dollars. Thomas Newman, who had possession of some of the stolen money, was acquitted. "Their degree of guilt being much less than that of the others," Barnaba and Robin were recommended to the governor for clemency and transportation. Upon his approval the two were soon taken to Richmond, where they were subsequently sold to the Dry Tortugas.⁴⁴

Following the trials three ministers published lengthy confessions taken from the condemned slaves. More a reflection of the ministers' anxieties than the convicts' guilt, the confessions rendered a slave owner's interpretation of events, proffered reassurance to the commu-

⁴³ Historians have debated whether or not slave owners were guilt-ridden. For the case that they were see James Oakes, *The Ruling Race: A History of American Slaveholders* (New York, 1982), 117–22; for the opposing view see Eugene D. Genovese, *The Slaveholders' Dilemma: Freedom and Progress in Southern Conservative Thought, 1820–1860* (Columbia, S.C., 1992). Many slaveholders in Winchester and Frederick County fit the description of those in John C. Inscoe, *Mountain Masters, Slavery, and the Sectional Crisis in Western North Carolina* (Knoxville, Tenn., 1989). Generally speaking, they allowed their slaves greater freedom and autonomy and more readily acknowledged their humanity than did slaveholders in Tidewater Virginia or the lower South.

⁴⁴ FMB, 1817–1820, pp. 75, 78, 81, 82, 89, and 98–100 (first and second quotations on p. 99); and Woodstock (Va.) *Herald*, June 3, 10, and July 15, 1818 (third quotation in June 3 edition). It has been attributed to Augustine Smith's ability as an attorney that Barnaba and Robin had their sentences commuted by the governor to deportation. See Griffith, "Notes on Rock Hill," 47. The Dry Tortugas are the western-most islands in the Florida Keys. Discovered by Ponce de León in 1513 and named after tortoises found there, they were later described quite accurately by mariners as dry.

nity, and provided religious and moral instruction to both blacks and whites. Randolph, Sarah, and London each expressed remorse and agreed that they would never have committed their crime if Berkeley had afforded them religious instruction, as their previous masters had and as William Meade advocated. With her "dying voice," Sarah admonished "those who are, as I have been, in bondage, to bear their sufferings with patience," so that, when they put their trust in Jesus, they can be "happy in any situation, however wretched it may be."⁴⁵

While these confessions exploit religious teaching as a means of slave discipline, they also concede slavery's wretchedness, indict Berkeley for neglecting his Christian duties, and poignantly recognize the humanity and intelligence of the slaves. In their form and substance, these published confessions closely resembled traditional execution sermons in which ministers first acknowledged the reality of evil by relating the crime of the perpetrators to the human propensity for sin and then transcended the evil of sin by directing attention to the hope of salvation, often through the repentance of the condemned. These rituals helped to heal the social fissures created by violent acts and restore harmony to the community. However, in reporting on the murder, the press had embraced a more modern, secular reaction to violence in emphasizing the horror of the crime and the savagery of the perpetrators, thereby distancing them from the community. Nonetheless, the newspapers commended the clergy for their attention to the prisoners and for their efforts to save the souls of the condemned before execution. But Sarah's confession ended poignantly with a prayer that made plain on whose terms salvation and social harmony was to be achieved: "Help me, O Lord Jesus to leave a testimony behind me, that thou hast fully healed my soul, and washed it white in thy own *precious blood*." She, London, and Randolph, the three with the largest roles in the murder of Robert Berkeley and the desecration of his body, were hanged in the courthouse square on July 10, 1818.⁴⁶

An incident of extraordinary power and meaning, Robert Berkeley's murder soon passed into local folklore. It possessed the elements of conspiracy, violence, horror, pathos, and drama that were essential to

⁴⁵ Leesburg *Genius of Liberty*, August 4, 1818.

⁴⁶ *Ibid.* For a discussion of confession and murder narratives see Karen Halttunen, "Early American Murder Narratives: The Birth of Horror," in Richard Wightman Fox and T. J. Jackson Lears, eds., *The Power of Culture: Critical Essays in American History* (Chicago and London, 1993), 66–101. In this essay Halttunen argues that the shift in the function of execution sermons from community ritual to secular narrative isolates the murderer and brings horror into the minds of the people.

a good story. But the narrative had inherent problems as well, especially for southern whites: First, Berkeley as a representative of the master class was a humiliating failure. He could neither manage the people of his household nor ensure his or his family's security. Second, the white people in this story appeared dimwitted, if not inept or incompetent. Berkeley was apparently unaware of any unrest among his slaves and walked into a trap. His unusual absence after the murder went unquestioned for days while his killer remained at large in the community for a week and a half. Last, the story provided no consistent motive for the brutal murder. The reasons that Randolph, Sarah, London, and the other conspirators acted with such violence and resolve remained buried beneath the tensions of a community agonizing over the contradictions of slavery.

Meanwhile, the Berkeley family wiped clean its memory of the murder. Surviving correspondence among family members made no mention of the incident. One family historian learned of it only through genealogical research. She remarked that "the family kept silent about this melancholy event. . . . There must have been a tradition of disgrace about it, though the records do not bear this out." Julia Berkeley and her children did not speak of it to the next generation. A granddaughter heard about it only as an adult and then from someone outside the family. By that time, the story had changed.⁴⁷

In its subsequent retellings, the narrative clearly bore the imprint of southern history. To ease the burdens of their past, southern conservatives of the post-Reconstruction South remade and rewrote much of it. They had lost the Civil War, their property, their status, and a great deal of their self-respect. But as they recaptured, or redeemed, their state governments, they also addressed the question of how the history of their difficult times would be told. Many southerners consciously and vigorously rejected a New England-centered version of American history that diminished or, worse, omitted the contributions of the South to the founding of the nation and the forging of its national character. This new movement affirmed southern patriotism and embodied republican virtues in classical architecture and sculpture,

⁴⁷ Young, *Berkeleys of Barn Elms*, 86 (quotation); and account of unnamed granddaughter of Robert and Julia Berkeley, February 2, 1929, in Eliza Timberlake Davis, "The Tragedy of Rock Hill," *Richmond Times-Dispatch*, October 18, 1936, sec. 5, p. 10. Davis's ancestors lived in the vicinity of Rock Hill at the time Robert Berkeley was murdered. Her father, John S. Timberlake, fought for the Confederacy and ironically was imprisoned in the Dry Tortugas during the Civil War. See Stuart E. Brown Jr., *Annals of Clarke County, Virginia* (Berryville, Va., 1983), 306-8.

while glorifying Confederate heroes and embracing colonial roots. Largely absent from this history was any hand-wringing over the moral dilemmas of slavery that so troubled earlier generations of southerners. Plantation life in antebellum America came to represent a golden age of social harmony and racial peace, and planters were portrayed as much the victims of their social environment as were slaves. Enthusiasts erected monuments on almost every courthouse lawn in Virginia and throughout the South, proudly dedicating them to heroes of the "Lost Cause" in a fight not over slavery but the constitutional rights of states.⁴⁸

Beneath the glorification of southern history, however, was the ugly side of race relations, which reached a nadir during the 1890s and early 1900s. Throughout the South, Jim Crow laws imposed an apartheid regime of segregation on blacks and whites. Hundreds of thousands of blacks lost the right to vote. They were denied equal education and equal access to both public facilities and the political process. Lynchings reached a historical high. As southern history was rewritten, black southerners were written out of any meaningful role in their own past.

It was into this milieu of revisionism and racism that the legend of Robert Berkeley's murder passed. Berkeley's own community had wrestled fearfully with the social contradictions of slavery and race relations in an age still steeped in the republican optimism of a revolutionary generation and caught up in the heady idealism of Christian perfectionism. His murder had laid open these contradictions. History closed them for subsequent generations, who sought a past that endorsed failed efforts to divide the Union and, at the same time, success in dividing the races. In the evolution of a society's collective memory, traumatic events are commonly distorted to conform to changing social imperatives and to restore a positive self-image. New beliefs are the most susceptible to memory distortions, and in the retellings of the Berkeley murder, the most significant alterations occurred around the subject of race relations. For instance, local historian and clerk of the

⁴⁸ On the emergence of the Lost Cause mentality and its meaning for southern history see Fred Arthur Bailey, "Free Speech and the Lost Cause in the Old Dominion," *Virginia Magazine of History and Biography*, CIII (April 1995), 237-66; Catherine W. Bishir, "Landmarks of Power: Building a Southern Past, 1885-1915," *Southern Cultures* (Inaugural Issue, 1993), 7; Thomas L. Connelly and Barbara L. Bellows, *God and General Longstreet: The Lost Cause and the Southern Mind* (Baton Rouge and London, 1982); Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865 to 1913* (New York and Oxford, 1987); and Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost Cause, 1865-1920* (Athens, Ga., 1980).

Frederick County Court, Thomas K. Cartmell, spent much of his long career poring over the legal records of his community and in 1909 published *Shenandoah Valley Pioneers and Their Descendants*. He knew about the murder of Robert Berkeley and wrote about it. Nonetheless, he claimed

no two races ever lived in such harmony as the White and Black races enjoyed in *ye olden times*, before the negro was taught by the fanatics that slavery was a yoke that must be removed, and *he must do his part*. . . . When a slave, he was a trusted friend; now we are taught that the rising generations have many monsters to be hounded by mobs and destroyed. Under the old conditions, no monsters or frenzied communities disturbed the country. . . . Southern people remember no trouble between the two races until after the emancipation proclamation, and subsequent schemes adopted by the Washington government to make allies of the negro race. The negro was then encouraged to take weapons of destruction in his hands and wreak vengeance on his old oppressors.⁴⁹

As the account of the Berkeley murder changed over time, each new version addressed its "problems." Contradictions were corrected to conform to the conventions and compulsions of the present—to the Lost Cause and conservative interpretations of the past. Although the Berkeley family did not talk about the murder, apparently the Rust family did. John W. Rust, great-grandson of Berkeley's neighbor John Rust, who had discovered foul play in 1818, wrote a century and a quarter later "that the tradition in my family is that . . . Berkeley was killed by his slaves because of the fact that he had made a will freeing them rather than for the purpose of robbery." Court proceedings, however, indicate clearly that Berkeley died without a will—not unusual in the case of an unexpected and untimely death. Nevertheless,

⁴⁹ Thomas K. Cartmell, *Shenandoah Valley Pioneers and Their Descendants: A History of Frederick County, Virginia* (Winchester, Va., 1909; Berryville, Va., 1963), 108 and 520 (quotation). The story of Robert Berkeley's murder as it was passed down from the nineteenth to the twentieth century reflected the evolving collective memory of white southerners struggling to maintain a positive identity after a bitter defeat in war, the destruction of their social institutions, and a contested period of northern control. Some scholars distinguish collective memory, as the social analog of individual memory, from history construed as the analytical reconstruction of events. Conflating past and present, group identity therefore can structure the way people see events. The collective memory of a society is consequently subject to the psychological mechanisms of selective omission, fabrication, exaggeration, and embellishment by which individuals reconcile self-perceptions of identity with contradictory events in their past. For pertinent literature on collective memory see Maurice Halbwachs, *On Collective Memory*, edited and translated by Lewis A. Coser (Chicago and London, 1992); Nell Irvin Painter, *Sojourner Truth: A Life, A Symbol* (New York, 1996), esp. pp. 247–87; James W. Pennebaker, Dario Paez, and Bernard Rimé, eds., *Collective Memory of Political Events: Social Psychological Perspectives* (Mahwah, N.J., 1997); Barry Schwartz, *George Washington: The Making of an American Symbol* (Ithaca N.Y., and London, 1987); and Yael Zerubavel, *Recovered Roots: Collective Memory and the Making of Israeli National Tradition* (Chicago, 1995).

the fear that freeing slaves by will would encourage them to bring about a master's premature demise was widespread in the nineteenth-century South. It served to discourage manumission in the interests of those who feared the influence of free blacks.⁵⁰

Casting Berkeley in the role of compassionate emancipationist, however, corrected his image as a failed master. Instead he became a noble victim of his own altruism. This version also provides the perpetrators with a motive: heedless of any punishment they killed Berkeley to hasten the execution of his will and gain their freedom. Thus their actions could be made to appear simpleminded or irrational—a view more consistent with perspectives on race in the era of Jim Crow. Rust does not mention in his letter, of course, that black men and women were capable of developing and executing a complex plan and subsequently concealing their actions for the better part of a week in the midst of a southern society that prided itself for its vigilance against internal threats. Interestingly, and perhaps not coincidentally, John W. Rust, as a member of the Virginia Senate in 1938, sponsored legislation for erecting a statue of Stonewall Jackson on the Manassas battlefield, and members of his family were involved in other historic preservation activities memorializing an ideal past of a hierarchical social order and harmonious race relations.⁵¹

Another version of Berkeley's murder was told by his granddaughter from the account of the Mr. Oliver who had worked for Julia Berkeley for many years during and after the event. In 1929 this granddaughter, an old woman herself, wrote the story as she had heard it from Oliver:

On that fateful night that [Berkeley] was killed, he returned from Baltimore with a lot of money, which he put in the secretary in the hall of the house, and told his wife who was then sick in bed with an infant child. She said that she did not notice his going out of the house, for she had become exhausted from the strain of her anxious waiting for Grandpa's return, and had fallen to sleep and did not wake till the next day. But it was a wonder none of the family was aroused till

⁵⁰ John W. Rust to Wilson Gee, October 25, 1943, Laura Virginia Hale Collection (Laura Virginia Hale Archives, Warren Heritage Society). The story that Berkeley had freed his slaves in his will is also mentioned in Young, *Berkeleys of Bam Elms*, 86–87, without indicating a source.

⁵¹ James M. Lindgren, *Preserving the Old Dominion: Historic Preservation and Virginia Traditionalism* (Charlottesville, 1993). John W. Rust represented Arlington, Prince William, and Fairfax Counties and Alexandria City in the senate of Virginia from 1932 through 1938. His father, John R. Rust, served under Stonewall Jackson during the Civil War and was associated with efforts to commemorate members of Jackson's command. See George N. Conrad to John Rust, Nineva, Va., May 16, 1898 (Virginia Historical Society).

the next morning, when the man who was overseer of the hands knocked on the door for admittance. The family went to the door and old Mr. Oliver inquired where Dr. Berkeley was and said he had been to the quarters and no one was there. Then they went to the stable and no horses or wagons [were] there, so they went to the kitchen and made an examination and found out from the odor there that something had gone wrong, so he summoned the neighbors and they went on to Winchester Town, and overtook the eight men and one woman traveling to town as fast as they could go, and hung them there that same day. When they returned, they examined the house and found the money gone and the bones of our grandfather in the kitchen fireplace. It was awful to think about. I never heard my mother or Aunt Bettie say a word about it in my life. I learned this from old Mr. Oliver himself.⁵²

This version promoted Oliver to overseer and made him the one who alarmed the family and promptly discovered the disappearance of slaves, master, and horses. White neighbors then acted decisively to apprehend the slaves and exact immediate punishment. Julia Berkeley was portrayed sympathetically, ill and asleep, excused from not alarming others about the sudden absence of her husband. The four days between the murder and its discovery were simply omitted. This version of the murder story solves the problem of white ineptitude. Whites were vigilant and quick to act. Like late-nineteenth-century counterparts, they lynched the culprits at the nearest tree. Meanwhile the slaves were again denied any motive for their actions, which were reduced to savage barbarity.

The letter from Berkeley's granddaughter appeared in a 1936 newspaper article by Eliza Timberlake Davis, who had been reared near Rock Hill and knew the story of the murder. Claiming inaccurately that Berkeley purchased the Rock Hill property in 1811 from Stephen Davis, "a nephew of John Davis, the ancestor of President Jefferson Davis of the Confederacy," she noted that "Berkeley employed and owned a large number of slaves. That he believed them to be faithful and trustworthy is assured by the fact that he intrusted his family to their care when it was necessary for him to be away from home." Berkeley, at least, regarded himself as a successful slave master.⁵³

In her own account of the murder Davis described Berkeley's return from Baltimore, the "large sum of money" he brought with him, Julia Berkeley's confinement after childbirth, and her anxiety over her husband's absence. On the evening of his return Julia slept while Robert read. Summoned to the slave cabin, "he was seized, bound and placed on blazing logs in the great fireplace. Pleading for mercy, he begged to

⁵² Account of unnamed granddaughter in Davis, "Tragedy of Rock Hill."

⁵³ *Ibid.*

be released, but was held there by long poles until death ended his agony." The perpetrators immediately went to the manor house to search for money hidden there, about "which they must have learned through the t[r]eachery of a slave." They planned to kill Julia Berkeley "if she awoke, and flashed the lamplight before her eyes; but she slept so peacefully, her arm encircling her baby, that they were moved by some semblance of sympathy for their gentle mistress, and closing the bedroom door, went out, leaving her unharmed." In Davis's account the conspirators took the money, went to the stables, and fled with every horse and vehicle available. The very next morning Oliver sensed a "strange stillness." He found no slaves, but "a terrifying odor hung over the whole place." The alerted household then discovered the empty stables and in a fireplace in the quarters, "the charred bones and bits of burning flesh of the master." The alarm soon spread, and vigilantes "set out in hot pursuit . . . and thirsty for vengeance." They overtook the "terror-stricken" blacks about twenty miles from Rock Hill near Winchester and hanged eight men and one woman that same day.⁵⁴

Here again, whites took decisive action with Oliver in the leading role. They detected the crime and its evidence almost immediately, apprehended the perpetrators, and brought them to speedy justice without trial. "Worn out with the long and anxious vigil until her husband's return," Julia was absolved for failing to suspect foul play. The black men and women, on the other hand, acted more savagely than in any other version. They burned Berkeley alive, holding him in the fire with poles. The slaves stole money, horses, and vehicles, but robbery was not the motive. Nothing can explain the murder but utter and absolute barbarism. Only a small flicker of humanity kept the perpetrators from killing their "gentle mistress" as well.⁵⁵

While Thomas Cartmell was certainly wrong about the interracial tranquility that reigned in Frederick County before the Civil War, blacks, even slaves accused and convicted of murder, were not treated as monsters to be hounded by frenzied mobs and lynched without trial. Although the courts regarded them as a strange admixture of persons capable of wrongdoing and property to be protected from harm, they were accorded the full letter of the law and received concerned ministrations from the clergy. In 1818 some slaves were hanged, and others

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

transported, bonded to good conduct under their owners, or acquitted as circumstances seemed to warrant. Slaves may have been powerless in their own world and deprived even of a motive for their actions or an unmediated voice in the community, but they were not considered barbarians subject to summary execution without even the semblance of justice.

In the mid-1950s a ghost story circulated about the Berkeley murder. In this rendition, Julia Berkeley awoke one morning and noticed that her husband had not come to bed the night before. Concerned about his absence, she opened the door to the hall and saw the family dog, large, white, and shaggy, approaching with a man's arm in its mouth. Julia screamed with horror and the realization that the arm was her husband's. This story completely ignores issues of race and motive.⁵⁶

Residents of the area surrounding Rock Hill today relate another version of the Berkeley murder, the only one that supplies a credible motive for the crime. In this rendition, Berkeley had returned weary from a business trip to Baltimore with a great deal of cash. Finding his wife, Julia, ill and resting in bed, he went to visit his infant son in the cabin of a slave wet nurse. Upon entering, he saw the woman seated at the hearth, nursing her own infant while his lay nearby, crying in hunger. In sudden rage, he struck the black child away from the breast of its mother. The blow knocked the baby against the stone hearth of the fireplace with enough force to kill it. Berkeley was slain in that same cabin four days later, his body burned upon the very hearth where the black child died. This is not the tale of Berkeley's murder but a parable of retribution for an unspeakable crime.⁵⁷

The eighty-year-old white woman who told this story had lived near Rock Hill all her life. Her mother sternly warned her never to go near the house. Sensing great evil, she never did. Nonetheless, for decades people ventured near Rock Hill, fearing ghosts but also hoping to find the "treasure" of Berkeley's money. Not well built to begin with, the house was in disrepair at the time of Berkeley's death. For a century or more, treasure hunters had been removing bricks from the foundation. The owner, tired of trespassers and aware of the perilous state of the

⁵⁶ Mary Morris, interview with the authors, Winchester, Virginia, November 19, 1997 (notes in our possession). Morris heard the story from her fourth-grade teacher, Roberta Earle, in Warren County, Virginia, in 1954 or 1955. This story further relates that guests who spent the night in the room that was formerly Julia Berkeley's bedchamber would hear a scratching at the door. When they opened it, they would see the ghost of the shaggy white dog with the arm in its mouth.

⁵⁷ Wayne Chatfield-Taylor, interview by authors, Warren County, Virginia, April 24, 1994 (notes in our possession).

building, razed the house and bulldozed eight to ten feet of the high, narrow ridge upon which it stood. Nothing remains of Rock Hill except the stories. No treasure was ever found.⁵⁸

Of the various versions of the story of the murder of Robert Berkeley, the last resonates most clearly with modern moral sensibilities. Although assigning the role of wet nurse to Sarah is tempting, no element of the story confirms it. But in identifying a comprehensible motive for the crime, this version differs markedly from the monster narratives, and, moreover, it contains some components of the early accounts that acknowledged a common humanity and a shared capacity for wrongful actions. In addition it satisfies twentieth-century notions of criminal behavior. Motive has come to play a larger and larger role in court proceedings and is often used as a mitigating circumstance in defense arguments. More significantly, this last version also reflects a modern willingness to reshape the memory of slavery from the viewpoint of slaves recognizing the tragic costs of slavery for both whites and blacks. While the woman who told the story was white, it is the only known version that gives the slaves some authority over their own lives and lends authenticity to their actions.

That the story of Robert Berkeley's murder has been told and retold for more than 175 years is testimony to its power, on the one hand, to fathom society's deepest, albeit shifting, tensions over race and, on the other, to order race relations from both personal and cultural perspectives. For the community of men and women, white and black, who experienced the murder and its aftermath, the events of May, June, and July 1818 revealed the two worlds of slave and slaveholder at their most vulnerable point of intersection. The murder, like any act of violence by slave against master, called into question the institution of slavery that made this boundary so brutal while at the same time imposing restraints on both the oppressed and the oppressor.

The world of black men and women cannot be readily reconstructed because few slaves left behind sources that reveal their ambitions or intentions. Their actions at times, however, spoke with exceptional clarity about their inner lives and the contradiction residing there between the capacity for rational action and the repression of personal autonomy. In taking Robert Berkeley's life, Randolph, London, Sarah,

⁵⁸ Although the money stolen from Berkeley's sideboard was recovered, the idea developed that Rock Hill harbored a lost treasure. The earliest reference is in Kercheval, *History of the Valley of Virginia*, 359. On the condition of the house and its demolition see Lee J. Fristoe to J[osiah] L. Dickinson, March 27, 1940, and Josiah L. Dickinson to John H. Winn, December 22, 1961, Rock Hill Correspondence (Laura Virginia Hale Archives).

and the others demonstrated that they could act to rectify—or seek retribution for—long-standing grievances. Admittedly an act of personal vengeance, the murder also represented resistance to slavery's expropriation of self-will. The men and women Berkeley held in bondage acted brutally but not impulsively or barbarically. They considered their plan for nearly a year before executing it. They actively conspired for at least five days before the murder and carried it out with deliberation and conviction. Even Berkeley's ruthless immolation can be construed as a calculated attempt either to destroy evidence or to denigrate his body and eradicate his memory. After the murder the conspirators acted calmly and collectively to conceal their deed.

To say that in killing Berkeley, his slaves took determined steps to change their conditions is not to exonerate them from the crime of murder but to assert that these men and women were competent in acting from the deepest, if not darkest, human emotions. They were not childlike reflections of human beings arrested in their emotional development either by their nature, as Berkeley's contemporaries widely believed, or by their culture, as some students of slavery have subsequently suggested.⁵⁹ Randolph, London, Sarah, and their accomplices may have lashed out with chilling brutality against Berkeley and the slave system he represented, but their actions were hardly inconsistent with the violence that pervaded their society and the cruel discipline at the heart of slavery.

If the world of the slaves was rent by contradictions between a humanity expressed in carefully reasoned, deeply emotive action and a culture that reduced blacks to puerile dependence, then the white world was also contradictory in the humanity it afforded black dependents and in the inhumane degradation of slavery. When confronted with a crime that penetrated to the moral foundations of their social order,

⁵⁹ Stanley M. Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago, 1959), 128–29; Ulrich B. Phillips, *American Negro Slavery: A Survey of the Supply, Employment and Control of Negro Labor as Determined by the Plantation Régime* (New York and London, 1918), 291 and 342. Since Elkins and Phillips, historians have recognized the vital communities that slaves and free blacks created despite and as a result of racial oppression. The rich, vibrant cultures of these communities have profoundly influenced American life but not without the social and psychological costs of slavery's inherent abuses. See John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (New York, 1972); Gutman, *Black Family*; Charles Joyner, *Down by the Riverside: A South Carolina Slave Community* (Chicago and Urbana, 1984); Lawrence Levine, *Black Culture and Black Consciousness: Afro American Folk Thought from Slavery to Freedom* (New York and Oxford, 1977); Nell Irvin Painter, "Soul Murder and Slavery: Toward a Fully Loaded Cost Accounting," in Linda Kerber, Alice Kessler-Harris, and Kathryn Kish Sklar, eds., *U.S. History as Women's History* (Chapel Hill, 1995), 125–46; and Sobel, *World They Made Together*.

whites acted deliberately to bring the accused to the justice of their courts, try them by established legal procedures, and execute punishments dispassionately, not as ostensible vengeance but as moral example. Counsel for the accused, Augustine Smith, also served as secretary for the Auxiliary Society of Frederick County for Colonizing the Free People of Colour, an organization sympathetic with the plight of both slaves and free blacks in a racially divided society. Although concerned primarily with removing free blacks from Virginia, the members of the auxiliary looked squarely into the eye of slavery's incompatibility with an ideology of republican freedom inherited from the revolutionary generation. Moreover, the white clergy took an active interest in the spiritual welfare of the accused. The murder's challenge to Christian conceptions of an ordered community deeply troubled William Meade. He made good use of resulting social stresses to redouble calls for the religious instruction of slaves and to caution masters about observing Christian strictures themselves. Although other clergymen published the confessions of the slaves as a vivid demonstration to all of the perils of rebellion and the dire consequences of neglecting Christian duty, these men also acted quite genuinely to secure the salvation of the condemned.

Through adherence to the forms of justice, recognition of contradictions between slavery and republicanism, and concern for the souls of black folk, white people tacitly acknowledged the humanity of slaves. At the same time these behaviors reveal a more desperate attempt to deny any semblance of their own inhumanity as a master class guilty of exploitation more malevolent than that of the European aristocracy they so recently and righteously condemned. The white world had to reject any implication that the murder constituted an inherent attack on the institution of slavery because to acknowledge legitimate insurrection would be to disavow the moral integrity of white society. The institution of slavery was not only designed to deprive blacks of personal autonomy but also imposed legal and social controls constraining whites so they could simultaneously condemn blacks and affirm their own humanity.

The Civil War and emancipation obliterated these restraints and left white southerners devoid of the certainties of a slave regime. Therefore, whites recast race relations in history through the ideology of the Lost Cause and in the present through the violence and oppression of Jim Crow segregation. The recontextualized accounts of Berkeley's murder surfacing after 1900 thus achieve a tragic irony in the "horrible and savage barbarity" of white behavior. Whites lynch blacks

suspected of the murder and are never brought to justice for their crime.

According to the final version of the story Berkeley, in a metaphor for the crime of slavery and the African slave trade, kills a child by striking it from the breast of the mother. He thereby initiates the cycle of violence that culminates in his own murder and the subsequent deaths of the slaves. Although no contemporaneous evidence corroborates Berkeley's misdeed, the moral sensibilities of the late twentieth century, by giving it credence, lend insight into the origins and changing character of a racially divided society.